

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANDY CONSTANT,

Defendant.

No. 18-CR-2034-CJW-MAR

ORDER

This case is before the Court pursuant to the government’s motion for authorization to employ alternative notification to potential victims, pursuant to Title 18, United States Code, Section 3771(d)(2). (Doc. 14). The government indicates that counsel for defendant has no objection to the motion. (*Id.*, at 5). For the reasons that follow, the Court grants the government’s motion.

The Crime Victims’ Rights Act of 2004 (the Act), generally imposes on the United States an obligation to use its “best efforts” to provide “reasonable, accurate, and timely notice of any public court proceedings” and an opportunity for crime victims to be heard. 18 U.S.C. § 3771(a) & (b). When cases involve large numbers of potential victims, individual identification and notification may be impracticable. When that condition exists, the Act permits courts to fashion alternative means of notification that will not “unduly complicate or prolong the proceedings.” 18 U.S.C. § 3771(d)(2).

In this case, defendant is charged with committing wire fraud. (Doc. 2). The criminal information alleges that between approximately 2010 and 2017, defendant fraudulently marketed and sold grain for millions of dollars claiming the grain was organic when it was not. (*Id.*). Defendant’s customers then apparently unwittingly resold

the grain to others. Although the criminal information alleges that the grain was sold to “at least 10 customers nationwide” (*Id.*, at 5), the government asserts that in fact the grain was disseminated to “thousands of businesses and customers.” (Doc. 14, at 3).

The government requests that the Court authorize it to inform potential victims of their statutory rights and all court proceedings by posting notice of those rights and proceedings on the Justice Department’s website for large cases, <http://justice.gov/largecases/>, to direct victims to a case-specific website where all required notices will be posted. The government also indicates that it will issue a press release informing individuals who believe they may be victims to access the Department of Justice’s website for more information. Given the large number of potential victims in this case, the Court finds the government’s proposed procedure for victim notification is appropriate.

For the reasons set forth above, the Court **grants** the government’s Motion for Alternative Victim Notification Procedures. (Doc. 14).

IT IS SO ORDERED this 27th day of December, 2018.



C.J. Williams
United States District Judge
Northern District of Iowa